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**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**  
**WESTERN DIVISION**

JOSE VENEGAS,

Petitioner,

v.

G.J. GIURBINO, Warden,

Respondent.

No. ED CV 06-511-DSF (PLA)

**ORDER ADOPTING MAGISTRATE  
 JUDGE'S REPORT AND  
 RECOMMENDATION**

Pursuant to 28 U.S.C. § 636, the Court has reviewed the entire file de novo, including the magistrate judge's report and recommendation, and the objections to the report and recommendation that have been filed herein. The Court agrees with the recommendations of the magistrate judge.

**ACCORDINGLY, IT IS ORDERED:**

1. The report and recommendation is adopted.
2. Judgment shall be entered consistent with this order.
3. The clerk shall serve this order and the judgment on all counsel or parties of record.

DATED: 6-16-08

HONORABLE DALE S. FISCHER  
 UNITED STATES DISTRICT JUDGE